

Exhibit K

Ryan Davis Deposition Exhibit 1

Transcript of January 7, 2022 meeting

TRANSCRIPT OF AUDIO-RECORDED FILE LABELED
"Production Nola_Recording of Firing Meeting"



1 MR. DAVIS: So I understand FMLA. I
2 understand sick time and leave. The State of
3 Wyoming considers COVID-19 to be presumptive in law
4 enforcement. This has been treated since day one as
5 a presumptive issue. Whether we agree with that or
6 not as a group, that's how it's been seen.

7 I'm currently on Workers' Compensation.

8 MS. BRANDO: Uh-huh.

9 MR. DAVIS: Obviously I'm being paid
10 through Workers' Compensation.

11 MS. BRANDO: Uh-huh.

12 MR. DAVIS: Being the fact that I am
13 on Workers' Compensation, I -- the termination of
14 employment is allowed so long as it's not in
15 reference to any way me being on disability.

16 The questions that I have is three weeks
17 ago I had a conversation with the lieutenant, who
18 made mention that -- that the department would
19 probably not be able to wait for me to be off
20 disability. That started my search for a attorney,
21 because that implies that this termination of
22 employment is directly related to me being on
23 Workers' Compensation.

24 I understand that -- I don't want to wait
25 either. And I've told the chief this. I think it's

1 a disservice to the citizens of Powell who pay taxes
2 for a police officer who can do their job. It's a
3 disservice to my coworkers. I admit that. I -- no
4 one is more frustrated than I am not working than
5 me.

6 That being said, the fact that FMLA has run
7 out or the fact that sick leave or -- or vacation
8 time has run out has no bearing on the fact that I
9 am on disability for what the State considers to be
10 an on-the-job related issue.

11 So, you know, if -- if termination is
12 the -- is the direction we're going, just between,
13 you know, this recorded conversation and the four of
14 us in this room, I have a hard time, after the
15 conversation I had with the lieutenant, being --
16 directly after I told him that it would be March
17 before I had another CT, have a hard time
18 understanding that this has nothing to do with the
19 fact that I'm currently not working.

20 I would assume if I were working, I would
21 still have a job if I wasn't on disability. I had a
22 satisfactory review six months --

23 MALE SPEAKER: Absolutely. This has
24 nothing to do with -- yeah. No.

25 MR. DAVIS: Correct.

1 MALE SPEAKER: This --

2 MR. DAVIS: So we can --

3 MS. BRANDO: It puts an undue hardship
4 on the department.

5 MR. DAVIS: Abs- --

6 MS. BRANDO: After that 12 weeks has
7 expired, it's -- it's an undue hardship on the whole
8 department, being a probationary employee. And
9 that's where it's at.

10 MR. DAVIS: Yeah. We're in
11 agreement --

12 MS. BRANDO: It's not because you're
13 on a disability.

14 MR. DAVIS: We're in agreement that
15 it's -- that it's a hardship. There's no doubt
16 about that. And I will even sit here and agree,
17 yes, I am a probationary employee. We are an
18 at-will state here in Wyoming. That, I understand.

19 That being said, regardless of probationary
20 status and regardless of at-will employment, there
21 are exceptions of the at-will employment and to --
22 up to and including probationary employees for
23 termination. One of those is considered
24 retaliation.

25 I would make the argument that being

1 terminated in the middle, right now, three months
2 after being on disability, for no other reason that
3 I can see than that I'm not working -- because a
4 hardship, unfortunately, that doesn't play in. The
5 hardship to the department doesn't matter. If my
6 leg were to get chopped off, now we'd be talking
7 about something different. We would be talking
8 about medical retirement.

9 You and I did discuss a medical retirement,
10 which you believed I wasn't qualified for. I called
11 WRS. I do qualify. However, in order for me to
12 qualify that, their doctors and my doctor have to
13 agree that that's a long-term thing. So that's on
14 the table if -- if in fact the doctors determine,
15 hey, you can't ever go back to do the work -- to go
16 to work again. The problem is we're not at that
17 point, because they haven't been able to make a
18 determination. They're sitting in the center of
19 this.

20 So I think the -- I think the main point
21 I'm walking away from here is when you have a
22 supervisor at the lieutenant level tell you in a
23 meeting, after you're discussing how long it's going
24 to be on -- on Workers' Compensation, say, well,
25 we -- I don't think the department's going to be

1 able to wait that long, to me, directly implies that
2 the reason for this termination is the length of
3 time that I'm on disability.

4 Unfortunately, like I said, the hardship to
5 the department, as much as I disagree with it as
6 well, it's not really my problem. This is an
7 on-the-job issue, and we are dead center in the
8 middle of -- of disability.

9 So -- so like I said, it's required me to
10 seek legal counsel, because I don't feel like this
11 termination has anything to do with anything other
12 than I'm not working. Yes, it's a hardship, but I'm
13 not working. I'm on disability, so now I'm being
14 terminated. We're not giving it a chance -- I know
15 that it's long and difficult, but we're not giving
16 it a chance to allow the doctors to make a
17 definitive determination. So you know what? And
18 I -- I wish that determination was made a month ago,
19 a week ago, whatever it is, but it's not.
20 Unfortunately, it isn't. So we're all sitting in
21 this boat. So --

22 MALE SPEAKER: I think because we play
23 semantics and it comes up, we should probably ask
24 the question, at what point did disability start?

25 MR. DAVIS: Say it again.

1 MALE SPEAKER: At what point did
2 disability start?

3 MR. DAVIS: What do you mean?

4 MALE SPEAKER: That's exactly what I
5 mean. I don't think you're on disability, are you?
6 You're on Workmen's Comp.

7 MR. DAVIS: Workers' Compensation.
8 Excuse me. Sorry. But my --

9 MALE SPEAKER: For clarification --

10 MR. DAVIS: You're right. Correct.
11 Workers' Compensation. I -- I -- yes. I am not on
12 disability. Sorry. My mistake.

13 MALE SPEAKER: Just -- just for
14 clarification.

15 MR. DAVIS: Correct. Of course. Of
16 course. Yes. You -- you are correct. So -- yeah.
17 I'm on Workers' Compensation based upon what the
18 State determines to be an on-the-job injury. So --
19 and I -- I don't know. I had no intention for any
20 of this --

21 MALE SPEAKER: Oh, we -- I understand
22 that, yeah.

23 MR. DAVIS: I moved my family out to
24 Wyoming, you know.

25 MALE SPEAKER: It's -- it's

1 unfortunate for both sides, I feel, because -- and
2 that's why I'm -- I'm letting you know that, you
3 know, you have -- you have something in March. We
4 can move on. And if you get cleared, you can
5 definitely, you know, come back and try to, you
6 know, apply or whatever and -- and have the ability
7 to be on the force again. That gives you more time.
8 But you may end up on disability, too. We don't
9 know where it's going to -- that's where we're at.
10 We're at a hardship. We're --

11 MR. DAVIS: Sure.

12 MALE SPEAKER: -- we're at a
13 standstill. We -- we're not getting a service out
14 of something, you know.

15 MR. DAVIS: Understood.

16 MALE SPEAKER: Yeah. And -- and --
17 and you don't have that buildup. You don't even
18 have -- you know, once you get past probation, you
19 have the ability to buy into our sick leave bank.
20 We don't have that. You don't have that. You
21 haven't even passed the probationary, so...

22 MR. DAVIS: I bought into sick leave
23 bank.

24 MALE SPEAKER: Did you?

25 MR. DAVIS: Absolutely.

1 MALE SPEAKER: Okay.

2 MS. BRANDO: No. He's actually --

3 MR. DAVIS: It's six months.

4 MALE SPEAKER: Oh.

5 MS. BRANDO: He's using the sick leave

6 bank --

7 MALE SPEAKER: Oh, he's using the --

8 MS. BRANDO: -- right now.

9 MALE SPEAKER: -- sick leave. Okay.

10 Yeah.

11 MR. DAVIS: Yeah. I bought into sick
12 leave bank and I qualified for that.

13 MALE SPEAKER: (Inaudible.)

14 MS. BRANDO: Yeah.

15 MALE SPEAKER: Okay.

16 MR. DAVIS: Sure.

17 MS. BRANDO: Yeah. He's currently
18 using that.

19 MALE SPEAKER: But, again, I mean, how
20 long, I mean, are we -- you know, obviously
21 there's -- how long do we go on with this? And
22 that -- that's the question I have. So, to me,
23 it's -- it's a bad situation for both of us.

24 MR. DAVIS: Sure. Understood.

25 MALE SPEAKER: You know, and a

1 hardship -- I do feel it is a hardship for the City
2 and --

3 MR. DAVIS: It is.

4 MALE SPEAKER: -- and the --

5 MR. DAVIS: We -- we agree on that.
6 I've agreed on that since the day I went out.

7 MALE SPEAKER: Yeah.

8 MR. DAVIS: A hardship to the City. A
9 hardship to the -- to my coworkers.

10 MALE SPEAKER: Yeah.

11 MR. DAVIS: You know, fact of the
12 matter is unfortunately at this point in time the
13 department's down, with me gone, three people. You
14 know, I get that.

15 MALE SPEAKER: Yeah.

16 MR. DAVIS: I totally understand that.
17 From a perspec- -- from my perspective, you know,
18 just outside of all of this, when we're looking at
19 something where I believe this to be -- you know,
20 did I want to be out of work and be sick and be
21 dealing with the fact that walking a mile gets me
22 150 beats a minute on my heart rate? No. I don't
23 want to be dealing with that at all. I would rather
24 be back in uniform and doing my job as -- as
25 prescribed. You know, that being said, you know, I

1 can't at this point in time.

2 MALE SPEAKER: Yeah.

3 MR. DAVIS: We know this. And I
4 can't, you know, based upon the fact that I
5 contracted COVID, I'm having long-term issues with
6 it, and the State determines that to be an
7 on-the-job thing. So if I were to be -- if I were
8 to have been T-boned out here on Coulter and broke a
9 hip and been out for a year, it's the same thing.
10 Would you terminate somebody that's going to be out
11 for a year --

12 MS. BRANDO: Uh-huh.

13 MR. DAVIS: -- here? Okay. Because I
14 don't see how you can't correlate that to Workers'
15 Compensation and the ability to work.

16 MS. BRANDO: Workers' Compensation
17 will still apply.

18 MR. DAVIS: I understand that.

19 MS. BRANDO: You receive that. It
20 would just be like -- so, for instance, the
21 termination would just be termination of employment.
22 Insurance would terminate and -- and those things.

23 MR. DAVIS: Sure.

24 MALE SPEAKER: Your insurance, though,
25 my understanding, would not terminate until the end

1 of the month.

2 MS. BRANDO: And you would qualify for
3 COBRA insurance.

4 MALE SPEAKER: Yeah. COBRA insurance.

5 MR. DAVIS: Sure.

6 MS. BRANDO: Yeah.

7 MR. DAVIS: I'm less concerned with --
8 the insurance and the Hartford policy, the long-term
9 disability, you know, those kind of things, I'm less
10 concerned with that and more concerned with labor
11 law states that I cannot be terminated based upon
12 being on Workers' Compensation.

13 My argument is that while you tell me
14 that's not the case, that's not what it looks like
15 on the outset. That's not what it looks like based
16 upon what the lieutenant told me four weeks ago,
17 because he told me that the department couldn't
18 wait. Couldn't wait means you can't wait for me to
19 come back. The only reason I am not back is because
20 I am on Workers' Compensation. And my doctor, per
21 City policy, will not sign the form releasing me to
22 go back.

23 That -- the City states that the doctor has
24 to sign this form. I've presented that form to the
25 doctors at every appointment that I've had. They

1 have refused to sign it.

2 That being said, if I could have got them
3 to sign it, we wouldn't have this issue. I would be
4 inside policy and I would be rehirable again. But
5 you have a -- an employee of the City and
6 department, one of my supervisors, tell me in a
7 meeting that the department can't wait, while we're
8 discussing the duration of Workers' Compensation,
9 that it's going to be March before my next
10 evaluation.

11 My argument is -- my -- my belief is -- my
12 belief is that I can sit in this room and we can
13 terminate employment and you can tell me it's
14 because of, you know, probationary employee, you can
15 tell me because it's of a hardship. I think my
16 argument is that's not how it's perceived. That's
17 not how it was brought up to me in a meeting four
18 weeks ago when I discussed how long this process is
19 going to be.

20 And while I sit in the middle of not being
21 able to return to work and I'm terminated now, had I
22 been -- had I gotten a review and been terminated,
23 you know, a week after the review off of probation,
24 yeah, we're at-will, you can terminate me for
25 whatever reason you want. I'm not making that

1 argument. But that didn't happen. It didn't happen
2 until I went on probation -- or sorry -- excuse
3 me -- until I went on Workers' Comp and had been on
4 Workers' Comp for three months with another possible
5 three month window before I could --

6 MALE SPEAKER: And -- and -- and --

7 MR. DAVIS: -- come back. It appears
8 to me to be retaliatory, so -- and fall under the
9 statute of retaliatory as it relates to federal and
10 state labor law.

11 So that is why I have retained counsel.
12 Mostly because I just want to know what my rights
13 are. I came from a different state. I know exactly
14 what my rights are there.

15 MALE SPEAKER: Sure.

16 MR. DAVIS: I don't -- didn't know
17 anything. It required me to do some research and
18 seek counsel and determine if I have recourse.
19 Based upon the information that I have been provided
20 thus far, I believe that I do. Do I want to deal
21 with any of that? No, I don't. Do -- but, you
22 know, we're also in a -- and I will admit, do I want
23 to sit at home and do nothing either? No. But I
24 believe I'm entitled to the ability to figure out
25 where this thing is going to go. We have a set date

1 in March to try to make a determination of, hey, is
2 this going to be something that I can go back to
3 today and tomorrow or is it never going to happen?

4 If it doesn't happen in March, I believe at
5 that point in time I have a valid argument to make
6 with my doctors and the WRS doctors about a
7 retirement. I can't do that -- while -- while
8 Workers' Comp will remain, I cannot do that once I
9 have been terminated. So, therefore, I believe that
10 termination would cost me the opportunity to discuss
11 a retirement option with my doctors and the WRS
12 doctors. So that would be kind of where I'm
13 sitting.

14 MALE SPEAKER: So why can't you have
15 that conversation also --

16 MR. DAVIS: Because I --

17 MALE SPEAKER: -- I mean would -- the
18 retirement conversation --

19 MR. DAVIS: Because I'm no longer an
20 employee collecting -- I'm no longer an employee
21 of -- of an agency that's -- that -- that falls
22 under the Wyoming Retirement System. If I'm still
23 an employee and then they determine, hey, you -- you
24 know, you can't be a cop anymore and I go through
25 the -- that process, which I've already obtained the

1 paperwork. It's just a matter of I'll discuss that
2 with my doctor when I meet with him this week.
3 While I'm still an employee, that's an option. Once
4 I've been terminated, then I can't go back and say,
5 hey, I need medical retirement, I can't be a cop
6 anymore, because I'm no longer employed as a law
7 enforcement officer.

8 Currently, right now, even though in the
9 status I am, I'm still obviously currently employed
10 as I look at it, you know, from their perspective.
11 That's why.

12 So -- so I cannot -- yeah. It's either --
13 if that -- if that's the case, if that's the case
14 that they tell me I can't be a cop anymore, there's
15 a process and procedure to go through. Again, I've
16 already started it, at least -- I mean, I don't know
17 if the doctors -- what they're going to say this
18 week or next week or what the WRS doctors are going
19 to say, but it's -- but the door's been open. It
20 will be immediately closed the second my employment
21 with the City of Powell ends, because there -- they
22 won't -- they're not going to seek that process
23 unless I'm employed.

24 So, you know, that's that option. I don't
25 think that this long-term disability plan will ever

1 be a factor. It's nice to have the paperwork filled
2 out. But I did speak with Workers' Compensation. I
3 called them as well. And to my surprise, which is
4 actually good, you were correct in that -- not that
5 you're wrong. No. That came out wrong. To my
6 surprise, I was actually happy, because I didn't
7 think that it would carry over, you know, once I was
8 no longer employed. So that -- that is a factor
9 that carries over. I don't think that -- but
10 because I have that, the Hartford doesn't factor in.

11 MALE SPEAKER: Factor in.

12 MR. DAVIS: So that is a positive.
13 There's no doubt that that's a positive. And they
14 stated they'll pay regardless of employment status,
15 whether I'm employed by the City or not, through the
16 duration. The questions that they bring up is how
17 do we determine employability when the City sets the
18 standard for employability based upon the form that
19 the doctor fills out.

20 Workers' Comp is different. So they --
21 trying to -- they could say, well, you're
22 employable, you know, as a -- you know, whatever, a
23 cook or whatever that may be, so we're going to
24 terminate Workers' Compensation. So it could in
25 theory be terminated within the first day or week of

1 being let go from the department, because they can
2 change the standard of what employability is.

3 So whilst that's positive that I have it,
4 there's no guarantee that it lasts any longer than,
5 you know, the termination of employment based upon a
6 different set of standards for employability.

7 Ultimately, you know, I'm just trying to --
8 I -- ultimately, I'm just trying to figure out what
9 my rights as an employee are. And then all said and
10 done, you know, at the end of the day, while I feel
11 bad for my coworkers and the citizens of Powell, I
12 also have a family and -- and a life to -- to take
13 care of.

14 What I'm going to go do the second I'm
15 terminated from law enforcement, I don't know. I
16 have no idea. I've had this conversation many
17 times. If people were to come to me and say, hey,
18 you can't be a cop anymore, I have no idea where I'd
19 go and what I'd do.

20 Law enforcement has its frustrations and
21 its difficulties, as -- and its stigmas, as we can
22 see why -- you know, with the difficulty of getting
23 new people hired. People don't want to do this job
24 anymore. Whether it's in a small city like Powell
25 or a big city like LA, we're -- people don't want to

1 work in general, and they definitely don't want to
2 work in a situation where they're scrutinized like
3 we are in law enforcement. I do. I'm still
4 passionate about it. I still enjoy it. I wish I
5 could get a letter that says, hey, come back to
6 work.

7 That being said, if I'm terminated, what's
8 my motivation to reapply at a department that let me
9 go after I was unable to work for, again, what the
10 State determined to be an on-the-job deal? So --

11 MALE SPEAKER: I struggle with it. I
12 see both sides.

13 MR. DAVIS: Yes.

14 MALE SPEAKER: I -- I definitely don't
15 appreciate the venom that comes with that. And I
16 think the City has done very well to take care of
17 you.

18 MR. DAVIS: I agree. That, we agree
19 with.

20 MALE SPEAKER: The only reason it's a
21 Workmen's Comp issue is because Tiffany caught wind
22 of that and put it all into play.

23 MR. DAVIS: Uh-huh.

24 MALE SPEAKER: There's -- there's
25 nobody, yourself included, that believes you caught

1 it at work. It came from home. But the State took
2 the stand that they did, and Tiffany acknowledged
3 that, so --

4 MR. DAVIS: Yep.

5 MALE SPEAKER: -- I think -- I think
6 the City's done a good job.

7 MALE SPEAKER: And to me, that's
8 another point of what the City's done good for you.

9 MR. DAVIS: Yep. I agree with -- I --
10 we're in no disagreement over that.

11 MALE SPEAKER: Okay.

12 MR. DAVIS: And I'm not sitting here
13 saying you guys are terrible, how could -- you know,
14 that's not what I'm saying by any means whatsoever.
15 To be honest, if I didn't care about -- if I didn't
16 care about working for the City of Powell, I didn't
17 care about the City of Powell, the citizens or the
18 people or any of that, it would have been a total
19 waste of my time to even deal with that. I would
20 have taken the termination and walked away, because
21 I don't -- I don't -- you know, what's it matter?

22 To be honest with you, you know, I -- like
23 I said, I like the job, but I am employable. Do I
24 know what I'm going to do? No, I don't. But I'm
25 employable somewhere else. I'm not -- you know,

1 it's not like I can't work and do things again. The
2 problem --

3 MALE SPEAKER: And we did, just so you
4 know, we did look at, you know, possible transfers
5 to something less, but we don't have anything open.

6 MR. DAVIS: Sure.

7 MALE SPEAKER: You know what I mean,
8 is something else that -- because -- because that's
9 always a possibility. But we don't have that at
10 this -- we're full and --

11 MR. DAVIS: Yeah.

12 MALE SPEAKER: -- with general fund
13 always be an issue, you know, we just can't make --
14 create a new position, you know --

15 MR. DAVIS: Sure.

16 MALE SPEAKER: -- so --

17 MR. DAVIS: Sure. Totally understood.
18 That -- like I said, that, I get. And I'm not --
19 I'm not sitting here upset about any of the things
20 that have transpired before --

21 MALE SPEAKER: And I --

22 MR. DAVIS: -- today.

23 MALE SPEAKER: -- I get it. You
24 don't -- you wish this wouldn't have happened
25 either.

1 MR. DAVIS: Correct.

2 MALE SPEAKER: I mean, you wish you
3 could come back, put that badge on, and go to work.

4 MR. DAVIS: Sure, you know.

5 MALE SPEAKER: We would like that,
6 too, at this point. But, you know, we're -- we're
7 hearing March and stuff, so that's why we had to
8 have this conversation and present this to you,
9 so --

10 MR. DAVIS: Uh-huh.

11 MALE SPEAKER: Another challenge we'll
12 find -- we'll face come March is going to be your
13 temporary peace officer certification.

14 MR. DAVIS: Sure. That, I understand
15 as well.

16 MALE SPEAKER: I was just getting
17 ready to look. And I know --

18 MR. DAVIS: Because March was when
19 it's -- it was sometime early or mid March was when
20 they had extended it.

21 MALE SPEAKER: Was that extended?

22 MR. DAVIS: Yep. It was extended. I
23 don't know when exactly, but I want to say -- was
24 that what it was, March sometime, so in there. So,
25 yeah, sure.

1 So, you know, ultimately the City's got to
2 do what the City's got to do. So if that's
3 termination, that's termination. I can't say, you
4 know, what my next recourse will be. It could be
5 nothing. I could just -- you know, it could be,
6 okay, thank you very much, I'll continue with
7 Workers' Comp.

8 I -- I don't -- I do think that, you know,
9 if the doctors come back to me in March and tell me,
10 hey, guess what? You can't be a cop again. Now
11 I've lost the opportunity for, you know -- sorry --
12 the Wyoming medical retirement, which, to me, still
13 sounds ridiculous, but it is what -- we're facing
14 this. But, you know, I've lost that ability. Then,
15 you know, my --

16 MALE SPEAKER: My question is, do you
17 qualify for that being in Wyoming not that long? I
18 mean, how long do you have to be invested?

19 MR. DAVIS: One day.

20 MALE SPEAKER: One day.

21 MR. DAVIS: If I -- if I put on the
22 badge --

23 MALE SPEAKER: Must be different from
24 City employees versus --

25 MS. BRANDO: Yeah.

1 MR. DAVIS: Because it's for peace
2 officers.

3 MS. BRANDO: They said it wasn't
4 vested and they wouldn't qualify.

5 MR. DAVIS: City -- City employees do
6 not qualify.

7 MS. BRANDO: Oh, no. I -- I was
8 asking about the law enforcement one.

9 MR. DAVIS: Yep. I -- I spoke with
10 the person that handles that.

11 (Inaudible crosstalk.)

12 MR. DAVIS: Yep. I spoke with --
13 yeah. Actually, they initially told me no. And I
14 explained to them, I said, so you're telling me that
15 if a law enforcement officer goes out on day one and
16 gets shot, there's no recourse? So they went in and
17 then they gave me to the person that actually deals
18 with law enforcement medical retirement. And she
19 submitted an e-mail to me the requirements along
20 with all necessary paperwork.

21 So I do in fact qualify. There's no
22 vesting period. Now, there is a vesting period if I
23 were to be injured and let's say I could do the job
24 but didn't want to. If you're vested, you can --
25 there is options to take a lesser, you know,

1 retirement. But I -- that, I wouldn't qualify for.

2 MS. BRANDO: Uh-huh.

3 MR. DAVIS: And, again, all that to
4 say in order to actually get qualification, my
5 doctor and their doctor have to agree. They have to
6 say, yeah, we looked at this information and we
7 agree. So I'm not saying -- when I say I qualify, I
8 mean just I -- I -- if those two things happened, I
9 could obtain it regardless of vesting status.

10 So when I say qualify, I don't mean like I
11 can go today and get --

12 MS. BRANDO: Right.

13 MR. DAVIS: -- get a signature. But
14 all that thing -- again, that all hinges on
15 employment, you know, with the department.

16 So -- but, again, like I said, if -- if,
17 you know, termination is the -- or a separation,
18 whatever we want to call it, is the route that the
19 City goes, I --

20 MALE SPEAKER: I definitely like the
21 word separation better. I hate --

22 MR. DAVIS: Sure.

23 MALE SPEAKER: -- using the word
24 terminate. Again, this is not a disciplinary thing
25 at all, yeah.

1 MR. DAVIS: Sure.

2 MALE SPEAKER: So --

3 MR. DAVIS: Sure. I -- yeah. And I'm
4 not making the argument that it's disciplinary. If
5 it were disciplinary, it would have been done when I
6 was still working or for whatever it is. I -- I
7 have not -- I'm ack- -- excuse me. I acknowledge
8 that as a probationary employee, I can be let go. I
9 even acknowledge that I can be let go while on
10 Workers' Comp. My argument is -- is the previous
11 conversations with superior -- with superiors based
12 upon the timing makes it highly suspect that it is
13 in fact because I'm not working on Workers' Comp,
14 which is what is creating this situation today.

15 MALE SPEAKER: This is the first I've
16 heard of that, so --

17 MS. BRANDO: Yeah.

18 MALE SPEAKER: -- I don't know.

19 MR. DAVIS: As it is creates a
20 hardship for the City and the department. So -- but
21 like I said, you know, I'm not -- you're not going
22 to have to drag me out of the office. So if that's
23 the -- if that's the route that we're going today,
24 then so be it. We'll take care of that and then I
25 will figure out what the department gear and

1 everything else and we'll go from there. So --

2 MALE SPEAKER: Yeah. I guess talk to
3 chief and whatever we need to do there, so that's --
4 that's where we're going to go, so --

5 MR. DAVIS: Sounds good.

6 MALE SPEAKER: Okay. Thanks for
7 coming in. Sorry it had to come to this.

8 MR. DAVIS: Okay. What do you need
9 from me?

10 MALE SPEAKER: Tiffany, does he need
11 to sign anything or documentation?

12 MS. BRANDO: No. I just have some
13 paperwork that you'll need to do for like Aflac, it
14 will have COBRA stuff on it, (inaudible) if you want
15 it.

16 MR. DAVIS: Sure.

17 MS. BRANDO: So this is just
18 information for you to take. And the contact for
19 (inaudible) is down there. And then this is
20 (inaudible) --

21 MR. DAVIS: Oh, yeah, yeah.

22 MS. BRANDO: -- information. And then
23 just to make sure you contact Aflac to do your
24 direct bill with them.

25 MR. DAVIS: Oh, got it. Okay. So

1 there's no paperwork, no nothing? No memorandum, no
2 letter, no -- nothing that states I'm no longer
3 employed --

4 MALE SPEAKER: Well, we can do a
5 memorandum --

6 MR. DAVIS: -- with the City, though?

7 MALE SPEAKER: -- and, yeah, put it
8 in -- in the file, basically.

9 MS. BRANDO: We can give you a copy of
10 it.

11 MALE SPEAKER: Yeah. We'll give --

12 MR. DAVIS: Okay.

13 MALE SPEAKER: -- you a copy.

14 MS. BRANDO: Yeah.

15 MALE SPEAKER: Yep.

16 MR. DAVIS: All right. I figured
17 there's got to be something.

18 MS. BRANDO: Yeah.

19 MALE SPEAKER: No, we will.

20 MR. DAVIS: Okay. Well, we'll take
21 care of that. Chief, however you guys want to set
22 up -- do you want me to bring it in or --

23 MALE SPEAKER: Do you want to wrangle
24 it all up and bring it in this afternoon?

25 MR. DAVIS: I can -- this aft- --

1 MALE SPEAKER: What works?

2 MR. DAVIS: Yeah. Let me see what I
3 can do. I got my -- I pick up my kids at noon.

4 MALE SPEAKER: Or this morning or --

5 MR. DAVIS: So let me -- yeah, let me
6 see what I can grab. But I -- I don't have much.

7 MALE SPEAKER: (Inaudible.)

8 MR. DAVIS: Yeah. I don't have much
9 anymore, because I just have, you know --

10 MALE SPEAKER: Is your car still at
11 your house?

12 MR. DAVIS: No.

13 MALE SPEAKER: No. Okay.

14 MR. DAVIS: No. I -- I don't know why
15 it was ever there. I kept telling them. Dave's,
16 like, well -- Lieutenant called me. He's, like, oh,
17 well, I want to know if we can borrow your car.
18 I'm, like, Borrow my car? It's your car. Come get
19 it. It's doing no good in my driveway, so let
20 somebody drive it. So, no, that's not a problem.

21 I think my heavy vest was still in the car,
22 I'm almost positive. So it should just be uniforms
23 and duty gear, service pistol, things like that. So
24 that's at the house. Flat badge is there. I just
25 checked, because I had to get some paperwork. I

1 checked. I don't think I have anything that's of
2 personal value in the drawers except for the case
3 for the flat badge is in my office drawer. So we'll
4 get that. And then should be it. So, yeah, let
5 me --

6 MALE SPEAKER: Maybe on the way to
7 school.

8 MR. DAVIS: Okay. Yeah. That should
9 be fine.

10 MALE SPEAKER: 11 or 11:30 or --

11 MR. DAVIS: That should be fine. I'll
12 bring it in.

13 MALE SPEAKER: It's 9:30 now.

14 MR. DAVIS: Yep. Shouldn't be a
15 problem. It's sitting in a -- it's just sitting
16 there, so I think that's it. So, yeah, let me
17 gather that up and then we'll go from there.

18 MALE SPEAKER: And do you want to
19 write the memo and then at some point, we can get
20 him a copy or do you want me to write the memo?

21 MS. BRANDO: Uh-huh. I do have --

22 (End of audio-recorded file.)

23

24

25

C E R T I F I C A T E

I, SABRINA TREVATHAN, a Registered Diplomate Reporter, do hereby certify that I transcribed the audio-recorded proceedings contained herein and that the foregoing 30 pages constitutes a full, true, and correct transcript, to the best of my ability.

I further certify that I am not related in any manner to any party, witness, or counsel, and have no financial or other interest in the outcome of the above-entitled cause.

Dated this 25th day of September, 2024.

SABRINA TREVATHAN
Registered Diplomate Reporter